

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CONTRARIAN CAPITAL MANAGEMENT,
L.L.C., CONTRARIAN CAPITAL FUND I,
L.P., CONTRARIAN DOME DU GOUTER
MASTER FUND, LP, CONTRARIAN
CAPITAL SENIOR SECURED, L.P.,
CONTRARIAN EM II, LP, CONTRARIAN
EMERGING MARKETS, L.P., BOSTON
PATRIOT SUMMER ST LLC, POLONIUS
HOLDINGS, LLC, EMMA 1 MASTER FUND,
L.P., CONTRARIAN FUNDS, L.L.C., and E1
SP, A SEGREGATED ACCOUNT OF EMAP
SPC,

Plaintiffs,

v.

BOLIVARIAN REPUBLIC OF VENEZUELA,

Defendant.

Misc. Nos.: 21-mc-00018-LPS;
22-mc-00131-LPS;
22-mc-00263-LPS

**INTERVENOR PETRÓLEOS DE VENEZUELA, S.A.’S
CROSS-MOTION TO DISMISS FOR LACK OF JURISDICTION**

Intervenor Petróleos de Venezuela, S.A., by and through its undersigned counsel, moves to dismiss this action in its entirety for lack jurisdiction under the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1330 *et seq.* (“Cross-Motion”), pursuant to Federal Rule 12(b). The grounds for this Cross-Motion are more fully set forth in the accompanying memorandum of law, which is filed concurrently herewith.

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[PROPOSED] ORDER

Upon review and consideration of Plaintiffs' Motion for an Order Authorizing the Issuance of a Writ of Attachment *Fieri Facias*, D.I. 3, and supporting memorandum of law and declaration, D.I. 4-5, and Intervenor Petróleos de Venezuela, S.A.'s Opposition thereto and Cross-Motion to Dismiss for Lack of Jurisdiction under the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1330 *et seq.*, it is hereby **ORDERED** as follows:

1. Intervenor's Cross-Motion to Dismiss is **GRANTED**; and
2. Plaintiffs' Motion is **DENIED**.

SO ORDERED this ____ day of _____, 2023.

The Honorable Leonard P. Stark
United States Circuit Judge